

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP AMENDMENT
)	
Naoshi Nagai et al.)	Group Art Unit: 1796
)	
Application No.: 10/587,419)	Examiner: Robert Stockton Jones,
)	Jr.
Filed: July 28, 2006)	
)	Confirmation No.: 7281
For: NOVEL POLYMERS AND USES)	
THEREOF)	

RESPONSE TO RESTRICTION/UNITY OF INVENTION AND ELECTION OF SPECIES REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction/election of species requirement set forth in the Official Action dated November 17, 2009, applicants hereby the subject matter of Group I which currently includes claims 1-8. This election is made with traverse as all of the claims in non-elected Groups II-XII are dependent claims. Furthermore, none of the claims in the non-elected Groups modify the fundamental nature of the polymers defined in the claims of Group I. For instance, claim 8 of Group I recites a composition comprising the polymer according to claim 1 while claim 10 of Group II recites a resin composition comprising the polymer of claim 1 and other thermoplastic resin. Manifestly, if the polymer of claim 1 is found allowable, then the compositions of claims 8 and 10 will likewise be allowable. Claims 12-22 recite different materials containing the polymer of claim 1 without explicitly reciting any additional components. Once again, if the polymer of claim 1 is found allowable, these claims will also be allowable. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the requirement.

Turning to the election of species requirement set forth on page 5 of the Action, applicants hereby make the following elections:

- A. With respect to Formula (1), W = oxygen atom and Z = oxygen atom;
- B. Structural units represented by Formula (4) with R² being -CH₂CH₂ -
- C. With respect to Formula (9), G = hydrogen

D. With respect to X and Y in Formula (14), one is a hydroxyl group and the other is a group of Formula (15) wherein E = oxygen atom and R⁷ = polyalkylene glycol group.

The elections with regard to the species requirement are made without traverse with the understanding that applicants are entitled to a reasonable number of species in the event that the generic claims are found allowable.


Favorable consideration on the merits is respectfully requested.

Should the Examiner have any questions concerning the present application, he is invited to contact the undersigned attorney at the number provided below.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

By: 
Robert G. Mukai
Registration No. 28531

Customer No. 21839
703 836 6620

Date: December 17, 2009